VIRGINIA WATER CONTROL BOARD - NOTICE OF PUBLIC COMMENT PERIOD
APPROVAL OF ELEVEN TOTAL MAXIMUM DAILY LOAD (TMDL) REPORTS
ISSUED: January 9, 2006
COMMENT PERIOD CLOSES: February 9, 2006 at 4:00 p.m.

Notice is hereby given that the State Water Control Board (Board) is seeking comment on the approval of eleven Total Maximum Daily Load (TMDL) reports and authorization to include the TMDL reports in the appropriate Water Quality Management Plans.

The purpose of this action is to approve eleven TMDL reports containing thirty-three bacteria TMDLs as Virginia's plans for the pollutant reductions necessary for attainment of water quality goals in several impaired waterbodies. These actions are taken in accordance with the Public Participation Procedures for Water Quality Management Planning.

At its December 2, 2004 meeting, the Board voted unanimously to delegate to the DEQ Director the authority to approve TMDLs that do not include waste load allocations requiring regulatory adoption by the Board, provided that a summary report of the action the Director plans to take is presented to the Board prior to the Director approving the TMDL reports. The TMDLs included in this public notice will be approved using this delegation of authority.

The TMDLs listed below have been developed in accordance with Federal Regulations (40 CFR §130.7) and are exempt from the provisions of Article II of the Virginia Administrative Process Act. The TMDLs have been through the TMDL public participation process contained in DEQ's Public Participation Procedures for Water Quality Management Planning. The public comment process provides the affected stakeholders an opportunity for public appeal of the TMDLs. EPA approved all TMDL reports presented under this public notice. The approved reports can be found at http://gisweb.deq.virginia.gov/tmdlapp/tmdl_report_search.cfm.

DEQ staff intends to recommend that 1) the DEQ Director approve the eleven TMDL reports listed below as Virginia's plans for the pollutant reductions necessary for attainment of water quality goals in the impaired segments, and 2) that the DEQ Director authorize inclusion of the TMDL reports in the appropriate Water Quality Management Plans. No regulatory amendments are required for these TMDLs and their associated waste load allocations.

In the Potomac-Shenandoah River Basin:
"Total Maximum Daily Load Development, Mill Creek Bacteria (E. coli) Impairment, Page County, Virginia"

1. Mill Creek bacteria TMDL, located in Page County, proposes bacteria reductions for portions of the watershed

In the Chesapeake Bay-Small Coastal-Eastern Shore River Basin:
"Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Piankatank River, Lower"

2. Piankatank River, Cobbs Creek bacteria TMDL, located in Middlesex County (VDH Shellfish Area Condemnation # 034-170, dated October 2003), proposes bacteria reductions for portions of the watershed
3. Piankatank River, Wilton Creek bacteria TMDL, located in Middlesex County (VDH Shellfish Area Condemnation # 034-126, dated March 1993), proposes bacteria reductions for portions of the watershed
4. Piankatank River, Healy Creek bacteria TMDL, located in Middlesex County (VDH Shellfish Area Condemnation # 034-129, dated February 1999), proposes bacteria reductions for portions of the watershed

In the Rappahannock River Basin:
"Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Lagrange and Robinson Creeks"

5. Lagrange Creek bacteria TMDL, located in Middlesex County (VDH Shellfish Area Condemnation # 028-127, dated June 1996), proposes bacteria reductions for portions of the watershed
6. Robinson Creek bacteria TMDL, located in Middlesex County (VDH Shellfish Area Condemnation # 028-177, dated May 1997), proposes bacteria reductions for portions of the watershed

"Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Urbanna Creek "

7. Urbanna Creek bacteria TMDL, located in Middlesex County (VDH Shellfish Area Condemnation # 029-42 (A), dated September 1993), proposes bacteria reductions for portions of the watershed

"Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Rappahannock River: Mud and Parrots Creeks"

8. Weeks Creek bacteria TMDL, located in Middlesex County (VDH Shellfish Area Condemnation # 027-202, dated October 1996), proposes bacteria reductions for portions of the watershed
9. Parrots Creek bacteria TMDL, located in Middlesex County (VDH Shellfish Area Condemnation # 027-90, dated April 1989), proposes bacteria reductions for portions of the watershed

"Total Maximum Daily Load (TMDL) Report for Shellfish Areas Listed Due to Bacteria Contamination – Whiting and Meachim Creeks"

10. Whiting Creek bacteria TMDL, located in Middlesex County (VDH Shellfish Area Condemnation # 030-51 (D), dated September 1997), proposes bacteria reductions for portions of the watershed
11. Meachim Creek bacteria TMDL, located in Middlesex County (VDH Shellfish Area Condemnation # 030-179 (A), dated August 1998), proposes bacteria reductions for portions of the watershed
12. Meachim Creek bacteria TMDL, located in Middlesex County (VDH Shellfish Area Condemnation # 030-179 (B), dated August 1998), proposes bacteria reductions for portions of the watershed

"Bacteria TMDLs for Mountain Run and Mine Run, Orange County, Virginia"

13. Mountain Run bacteria TMDL, located in Orange County, proposes bacteria reductions for portions of the watershed
14. Mine Run bacteria TMDL, located in Orange County, proposes bacteria reductions for portions of the watershed

In the York River Basin:

"Bacteria TMDLs for York River Basin, Orange, Louisa, Spotsylvania Counties, Virginia"

15. Beaver Creek bacteria TMDL, located in Orange County, proposes bacteria reductions for portions of the watershed
16. Terrys Run bacteria TMDL, located in Orange County, proposes bacteria reductions for portions of the watershed
17. Pamunkey Creek bacteria TMDL, located in Orange County, proposes bacteria reductions for portions of the watershed
18. Mountain Run bacteria TMDL, located in Orange County, proposes bacteria reductions for portions of the watershed
19. Plentiful Creek bacteria TMDL, located in Louisa and Spotsylvania Counties, proposes bacteria reductions for portions of the watershed
20. Goldmine Creek bacteria TMDL, located in Louisa and Spotsylvania Counties, proposes bacteria reductions for portions of the watershed

In the Chowan River-Dismal Swamp River Basin:

"Development of Bacterial TMDLs for the Chowan Study Area"

21. Beaverpond Creek bacteria TMDL, located in Dinwiddie County, proposes bacteria reductions for portions of the watershed
22. Big Hounds Creek bacteria TMDL, located in Lunenburg County, proposes bacteria reductions for portions of the watershed
23. Little Nottoway River bacteria TMDL, located in Nottoway County, proposes bacteria reductions for portions of the watershed

24. Nottoway River bacteria TMDL, located in Lunenburg, Nottoway and Prince Edward Counties, proposes bacteria reductions for portions of the watershed
25. Raccoon Creek bacteria TMDL, located in Sussex and Southampton Counties, proposes bacteria reductions for portions of the watershed
26. Cypress Swamp bacteria TMDL, located in Surry and Isle of Wight Counties, proposes bacteria reductions for portions of the watershed
27. Mill Swamp bacteria TMDL, located in Surry and Isle of Wight Counties, proposes bacteria reductions for portions of the watershed
28. Rattlesnake (Creek) Swamp bacteria TMDL, located in Surry and Isle of Wight Counties, proposes bacteria reductions for portions of the watershed

"Development of Bacterial TMDLs for the Virginia Beach Coastal Area"

29. London Bridge Creek and Canal #2 bacteria TMDL, located in the City of Virginia Beach, proposes bacteria reductions for portions of the watershed.
30. Milldam Creek bacteria TMDL, located in the City of Virginia Beach, proposes bacteria reductions for portions of the watershed.
31. Nawney Creek bacteria TMDL, located in the City of Virginia Beach, proposes bacteria reductions for portions of the watershed.
32. West Neck Creek (Middle) bacteria TMDL, located in the City of Virginia Beach, proposes bacteria reductions for portions of the watershed.
33. West Neck Creek (Upper) bacteria TMDL, located in the City of Virginia Beach, proposes bacteria reductions for portions of the watershed.

PUBLIC PARTICIPATION: The Board is seeking comments on the intended approval of eleven bacteria TMDL reports. Anyone wishing to submit written comments may do so by mail or by e-mail to Jutta Schneider at the address given below. Written comments must include the name and address of the commenter and must be received no later than 4:00 p.m. on February 9, 2006.

CONTACT: Additional information is available on the Department of Environmental Quality web site at http://www.deq.virginia.gov/tmdl/ or contact Jutta Schneider, Department of Environmental Quality, P.O. Box 10009, Richmond, VA 23240, or telephone (804) 698-4099, or e-mail at jschneider@deq.virginia.gov

A copy of the full text of these procedures is available electronically at:
http://www.deq.virginia.gov/tmdl/pdf/tmdlpn122005.pdf

The electronic copy is in PDF format and may be read online or downloaded. Hard copies are available upon request from the address above.